

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl.Misc.No.77722-M of 2006

DATE OF DECISION: FEBRUARY 9, 2007

Surender Singh

...PETITIONER

VERSUS

The State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.B.S.Saroha, Advocate,
for the petitioner.
Mr.S.S.Mor, Sr.DAG, Haryana.

...

Petitioner Surender Singh apprehending his arrest in pursuance of the non-bailable warrants issued by the trial court in case FIR No.376 dated 27.7.2004 under Sections 307 and 506 read with Section 34 IPC, registered at P.S.Sector 5, Panchkula, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on December 12, 2006, the arrest of the petitioner was stayed subject to the condition that he will appear before the trial court and furnish his regular bail bonds to its satisfaction.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in the aforesaid FIR, the petitioner was on regular bail and was also regularly appearing before the trial court. However, on 19.9.2006, he could not appear as he had to go to Chennai in connection with his job. Counsel further contends that the petitioner also filed an application for exemption from personal appearance, but the same was dismissed and the bail bond was cancelled. Subsequently, the petitioner was summoned through non-bailable warrants.

Counsel for the petitioner further contends that in terms of the interim order dated December 12, 2006, the petitioner had appeared before

the Addl.Sessions Judge, Panchkula on 23.12.2006 and furnished his regular bail bonds which have been accepted and attested, and since then he is regularly appearing. Counsel for the petitioner has placed on record a photo copy of the order dated 23.12.2006 passed by the Addl.Sessions Judge, Panchkula.

In view of the above and for the facts stated above, the interim order dated December 12, 2006 is made absolute.

Disposed of accordingly.

February 9, 2007
vkg

(SATISH KUMAR MITTAL)
JUDGE